

REMARKS/ARGUMENTS

Favorable consideration of this application in light of the following discussion is respectfully requested.

Claims 1, 3-10, and 12-18 are pending in the application.

In the outstanding Office Action, Claims 1, 3, 10, 12, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chestnut (U.S. Patent No. 6,041,114) in view of Perkins (U.S. Patent No. 6,614,889); and Claims 4, 5, 7, 9, 13, 14, 16, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chestnut in view of Alfred et al. (U.S. Patent No. 5,984,504, hereinafter Alfred).

Briefly recapitulating, Claim 10 is directed to a communication method used for carrying out call forwarding by a communication system. The method includes (a) receiving a call establishment request from a communication terminal; (b) sending, to said communication terminal, a call forwarding destination information including information on at least a call forwarding destination; (c) receiving information on a call forwarding destination which is selected by a caller from said communication terminal, and allowing said communication terminal and said call forwarding destination to communicate with each other according to said information on said call forwarding destination, and; (d) establishing a communication mode between said communication system and said communication terminal according to said information on said call forwarding destination. *The communications mode comprises one of an email mode, a fax mode, and a chat mode.* Claim 1 is directed to an apparatus corresponding to the method of Claim 10. The claimed method and corresponding

apparatus improves on the prior art because it allows callers to select a call forwarding destination and a call forwarding mode.<sup>1</sup>

Independent Claim 13 is directed to a communication method used for carrying out call forwarding by a communication system. The method includes (a) receiving a call establishment request from a communication terminal; (b) sending, to said communication terminal, a call forwarding destination information including information on at least a call forwarding destination; (c) receiving information on a call forwarding destination which is selected by a caller from said communication terminal; (d) performing media conversion between communication modes of said call forwarding destination and said communication terminal; and (e) allowing said communication terminal and said call forwarding destination to communicate with each other by performing media conversion. *The media conversion includes voice-to-text conversion and text-to-voice conversion.* Claim 4 is directed to an apparatus corresponding to the method of Claim 13. The claimed method and corresponding apparatus improves on the prior art because it allows callers to select a call forwarding destination and a call forwarding mode.<sup>2</sup>

Chestnut teaches a method and device for callers to select a call forwarding destination phone number or mail box from a menu presented by a call forwarding manager.<sup>3</sup> As noted in the Official Action, Chestnut does not teach or suggest a method or a device for callers to select a call forwarding destination and a communications mode comprising 'one of an email mode, a fax mode, and a chat mode' as recited in Claims 1 and 10. Also as noted in the Official Action, Chestnut does not teach or suggest call forwarding with 'voice-to-text conversion and text-to-voice conversion' as recited in amended Claims 4 and 13.

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<sup>1</sup> Specification, page 1, lines 28-34.

<sup>2</sup> Specification, page 1, lines 28-34.

<sup>3</sup> Chestnut, column 5, lines 26-62.

Perkins discloses a switching device configured to switch one phone line between multiple devices, including a computer and a fax machine.<sup>4</sup> However, contrary to the Official Action, like Chestnut, Perkins does not disclose or suggest “establishing a communication mode between said communication system and said communication terminal according to said information on said call forwarding destination, wherein the communications mode comprises one of an email mode, a fax mode, and a chat mode.” Perkins is limited to mere switching and, like Chestnut, does not establish a text-based mode of communications (i.e., Applicants’ claimed one of an email mode, a fax mode, and a chat mode) based on a call forwarding destination). Furthermore, Chestnut explicitly and exclusively recites that voice calls are routed to voice-capable devices and facsimile calls are routed to facsimile-capable devices.<sup>5</sup> Similarly, Perkins discloses that voice calls are switched to voice-capable devices, facsimile calls are switched to facsimile-capable devices, and data calls are switched to data-capable devices.<sup>6</sup> Thus, Applicants submit that both Chestnut and Perkins each teach away from Applicants’ claimed invention.

Alfred discloses speech-to-text conversion.<sup>7</sup> However, as noted above, Chestnut explicitly and exclusively recites that voice calls are routed to voice-capable devices and facsimile calls are routed to facsimile-capable devices.<sup>8</sup> That is, there is no reference or suggestion in Chestnut to route facsimile calls to voice-capable devices or voice calls to facsimile devices. More importantly, Chestnut is limited to voice and facsimile communications. That is, there is no reference in Chestnut of any type of text-based communications. Thus, for each of these Applicants submits there is no motivation to combine the teachings of Alfred and Chestnut. Therefore, Applicants submit the rejections

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<sup>4</sup> Perkins, abstract, Figure 1.

<sup>5</sup> Chestnut, column 10, lines 43-54.

<sup>6</sup> Perkins, Figure 3.

<sup>7</sup> Alfred, Figure 4.

<sup>8</sup> Chestnut, column 10, lines 43-54.

based on the combination of Alfred and Chestnut constitutes an impermissible hindsight reconstruction of Applicants' claimed inventions.

In view of the foregoing comments, Applicants submit the inventions defined by Claims 1, 4, 10, and 13, and all claims depending therefrom, are neither anticipated nor rendered obvious by the asserted prior art for at least the reasons stated above.<sup>9</sup>

Accordingly, in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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<sup>9</sup> MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."